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- \*Admitted only in Maryland
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- Practice Limited to Federal Agencies

April 5, 2006

WRITER'S DIRECT NUMBER: (202) 772-8851 **INTERNET ADDRESS:** RSCHWART@SKGF.COM

Mail Stop: Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Application No. 10/816,900; Filed: April 5, 2004

Local Anesthetic Methods and Kits For:

Inventors: Weber et al.

2009.0010006/RWE/RAS Our Ref:

Sir:

Transmitted herewith for appropriate action are the following documents:

- Third Supplemental Information Disclosure Statement Under 37 C.F.R. 1. § 1.97(c);
- 2. One (1) page of Form PTO/SB/08B citing one (1) document;
- 3. A copy of the one (1) cited document; and
- 4. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Sterne, Kessler, Goldstein & Fox PLLC.: 1100 New York Avenue, NW: Washington, DC 20005: 202.371.2600 f202.371.2540: www.skgf.com

Commissioner for Patents April 5, 2006 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Robert A. Schwartzman, Ph.D.

Agent for Applicant Registration No. 50,211

RWE/RAS:law Enclosures

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In re application of:

Weber et al.

Appl. No.: 10/816,900

Filed: April 5, 2004

For: Local Anesthetic Methods and Kits

Confirmation No.: 2634

Art Unit: 1655

Examiner: Winston, Randall O.

Atty. Docket: 2009.0010006/RWE/RAS

## Third Supplemental Information Disclosure Statement Filing Under 37 C.F.R. § 1.97(c)

Mail Stop Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO/SB/08B are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Third Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Second Supplemental Information Disclosure Statement filed on January 11, 2006 in connection with the above-captioned application. A copy of document AT3 is submitted herewith.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached Form PTO/SB/08B based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO/SB/08B, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Robert A. Schwartzman, Ph.D.

Agent for Applicants Registration No. 50,211

Date: April 5, 2006

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PTO/SB/08B (07-05)

Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

2009.0010006/RWE/RAS

Under the Paperwork no persons are required to respond to a collection of information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449/PTO 10/816,900 **Application Number** THIRD SUPPLEMENTAL Filing Date April 5, 2004 INFORMATION DISCLOSURE First Named Inventor **Eckard Weber** STATEMENT BY APPLICANT 1655 Art Unit (Use as many sheets as necessary) Winston, Randall O. **Examiner Name** 

**Attorney Docket Number** 

of

1

Sheet

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	AT3	Crawford, R.A., et al., "The response of feline spinal pial arterioles to norepinephrine," J. Neurosurg. 52:60-63, American Association of Neurological Surgeons (1990)	
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509622	1.DOC	· · · · · · · · · · · · · · · · · · ·	

Examiner Date
Signature Considered

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.